IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No. 17982 of 2006

Date of Decision: November 16, 2006

Ganpat Ram and another

…..Petitioners

Vs.

State of Haryana and others

…..Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR.

HON'BLE MR. JUSTICE M.M.S. BEDI.

Present:- Mr. Rajneesh Chadwal, Advocate
for the petitioners.

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M.M. KUMAR, J. (ORAL)

The prayer made in the petition is for issuance of a writ of certiorari quashing the condition that the Dearness Allowance be treated as Dearness Pay for the purposes of Retirement Gratuity/Death Gratuity under the relevant instructions dated 8.3.1996 (P-1). The matter is not res integra as this Court has already opined in favour of the petitioners in the judgments dated 23.9.2005 (P-2) and 25.7.2006 (P-4). The petitioners have already

stake their claims by sending a representation notice on 13.10.2006 (P-3), which is pending consideration of the respondents and no decision on the same has so far been taken.

In view of above, we deem it just and appropriate to direct the respondents to take cognizance of the representation sent by the petitioners and decide the same expeditiously preferably within a period of three months from the date a certified copy of this order is presented to them. If the claim of the petitioners is found to be meritorious and decided in their favour then the benefit accruing to the petitioners shall be disbursed within a further period of four months thereafter. It shall be appreciated if the judgments of this Court dated 23.9.2005 (P-2) and 25.7.2006 (P-4) are kept in view and a speaking order is passed.

Petition stands disposed of in the above terms.

(M.M.KUMAR)
JUDGE

November 16, 2006
sanjay

(M.M.S.BEDI)
JUDGE